

Remarks

The Office mailed the present Official Action on January 25, 2005. The applicants have requested an extension of time to reply to this Official Action, and have paid the requisite fees to extend the period to time to respond to March 25, 2005.

The application, as filed included 22 claims. The applicants wish to express thanks to the Office for the allowance of claims 19-22. The Office has rejected claims 1, 3-8, 11, and 17. The

Claim Rejections Under 35 U.S.C § 102

The Office has rejected claim 1 under 35 U.S.C. § 102 as being anticipated by U. S. Patent Number 6,594,942 to *Sherwood*. The applicants traverse this rejection and submit that claim 1 is clearly patentable over the *Sherwood* reference.

The *Sherwood* reference does not describe, suggest or teach the claimed elements of a light source interior to a rod having a hollow core and directing the light waves of the light source towards the opposite end of the rod. The *Sherwood* reference only describes placing a light source exterior to the rod surface. *Sherwood* describes placing electrical conductors that feed the light source on the interior of the rod but, only describes placing the light sources either mounted to the exterior of the rod or wrapped around the rod. Thus, claim 1 is not described, suggested or taught in the *Sherwood* reference and thus, should be allowed.

U. S. Patent Number 6,061,946 to *Toelken* also does not describe, suggest or teach each element of claim 1. *Toelken* describes placing a light source on the interior of the tip of a rod. However, the light source is not directed towards the opposite end of the rod but rather, simply illuminates the tip of the rod.

Thus, the applicant respectfully submits that claim 1 is in condition for allowance and requests the Office to retract its rejection or show with more specificity how these elements are described in the cited references.

The Office has rejected claims 3-5, 8, 11 and 17 under 35 U.S.C 102(b) as being anticipated by *Toelken*. Claim 3 recites a translucent rod having hollow core, and a light source located within the hollow core near one end of the hollow core with the light waves being directed toward the opposite end of the hollow core. *Toelken* describes placing an LED at the very tip of the rod with the light waves being directed outwards. Thus, the light waves cannot be directed toward the opposite end of the hollow core. Thus, the applicant respectfully submits that claim 3 is allowable over the cited reference and request the Office to retract its rejection of claim 3 or show with more specificity how these elements are described in the cited reference.

Claims 4-8, 11 and 17 depend either directly or indirectly from claim 3 and thus are also in condition for allowance.

Claim Rejections Under 35 U.S.C § 103

The Office has rejected claims 6-7 under 35 U.S.C. 103(a) as being unpatentable over *Toelken* in view of U.S. Patent Number 5,406,737 to *Scott*. However, as has been shown above, claim 3 is allowable. Because claims 6-7 depend indirectly from claim 3, they are also allowable.

New Claims

New claims 23 and 24 have been added to the application. These claims are directed towards allowable subject matter that is supported in the text. Similar to the above arguments, the elements of these claims are not described, suggested or taught in the cited references.

Allowable Subject Matter

The Office has allowed claim 19. However, the applicants disagree with the Offices statement of reasons for allowance. Although the invention can be embodied with the use of a light wave conducting medium internal to the fishing rod, the present invention is not so limited. The rod material itself can be a light wave conducting medium as disclosed in the specification.

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The Office has also allowed claims 20-22 which depend from claim 19.

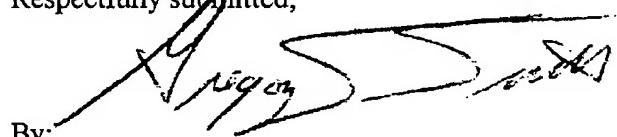
The Office has objected to claims 2, 10, 12-16 and 18 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the based claim and any intervening claims.

Claim 2 has been amended to include all the limitations of base claim 1. Thus, claim 2 is in condition for allowance. As for claims 10, 12-16 and 18, these claims depend either directly or indirectly from claim 3, which is allowable. Thus, these claims are also allowable.

Conclusion

Applicant respectfully submits that the currently pending claims, claims 1-24, are in condition for allowance and respectfully requests that the case be processed to issuance. Additional fees are being paid to cover the additional claims. If the Office has any questions or if there are any actions that can be handled through an Examiner's Amendment, the applicant requests the Office to contact the attorney of record using the below-provided contact information.

Respectfully submitted,

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